



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2006-21
Issue Date: May 11, 2007
Expiration Date: June 9, 2007

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

APPLICANT: Pamela Diaco
97 Buena Vista Avenue
Rumson, NJ 07760

ACTIVITY: Maintenance Dredge with Upland disposal

WATERWAY: Unnamed pond, Shrewsbury River

LOCATION: Borough of Rumson, Monmouth County, New Jersey.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the

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permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Conservation and Management Act, as amended by the Sustainable Fisheries of 1996 (Public Law 104-267), requires all federal agencies to consult with the NOAA Fisheries Service (NOAAFS) on all actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work could have minor adverse impacts on EFH and EFH-managed species as a result of a minor temporary increase in turbidity during dredging activities.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

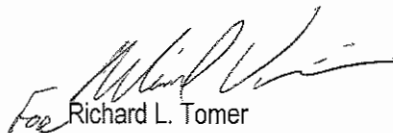
Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

New Jersey Department of Environmental Protection Permit

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790- 8514 and ask for Sophie Ettinger.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>


Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Pamela Diaco, has requested Department of the Army (DA) authorization to dredge with ten years maintenance and subsequent upland disposal at the existing mooring facilities in a tidal pond adjacent to the Shrewsbury River, Borough of Rumson, Monmouth County, New Jersey.

The work would involve dredging of two separate mooring facilities associated with two adjacent single-family residences located at 93 and 95 Buena Vista Avenue in Rumson (see sheet 2 of 4). The recreational mooring facilities (approximate 6,300 square feet) would be dredged to a depth of 5 feet below mean low water with no allowable overdepth, removing approximately 350 cubic yards of material.

Dredged material, removed by a closed clamshell bucket, would be placed on the applicant's upland property. Any excess water that may result from the upland management of the dredge material would be screened through a sediment curtain prior to reaching the existing lawn area. After deposition and dewatering of the dredge material, the sediments would be covered with 6-inch of clean fill material and stabilized with grass to restore the lawn. No return flow is anticipated.

One additional dredging event is expected over the ten year life of permit, removing approximately 150 cubic yards of material.

The existing mooring facility was last dredged approximately 12 years ago under DA Permit No. 92-05140.

The stated purpose of this project is to restore previously authorized depths for the navigation and mooring of the applicant's vessel(s).



SOURCE
U.S.G.S. TOPOGRAPHIC MAP
7.5 MINUTE SERIES QUAD
LONG BRANCH, N.J. 1954
PHOTOREVISED 1981

SITE LOCATION MAP

PAULUS, SOKOLOWSKI & SARTOR
CONSULTING ENGINEERS
Warren, New Jersey

B-10

Drn. By: L.M.

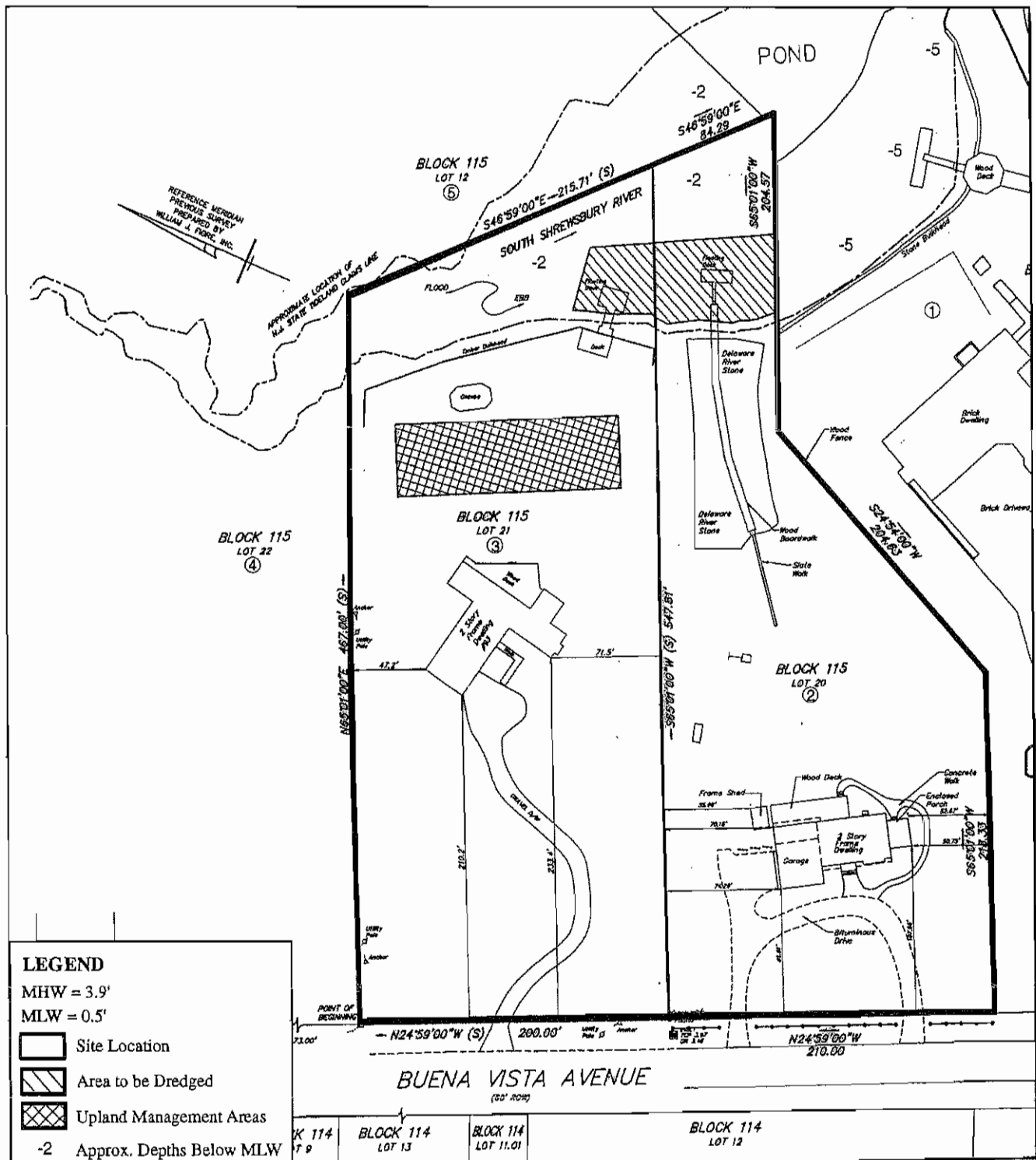
Scale: AS SHOWN

Proj. No: 1092-002-04

Ck'd By: M.L.

Date: 3/13/89

Fig. No: 1



Application By: Mrs. P. Diaco
Datum = MLW
Adjacent Property Owners

- ③ Mrs. P. Diaco
- ② Joseph Sheridan
- ① Anthony Diaco
- ④ Ju Zhang
- ⑤ Edward Swikart

Source:
Waterfront Development Plan, 2/4/05
LGA Engineering, Inc.

PROPOSED DREDGE AND MANAGEMENT AREA
93 and 95 BUENA VISTA AVENUE
BOROUGH OF RUMSON, MONMOUTH COUNTY
NEW JERSEY

Paulus, Sokolowski & Sartor, LLC
consulting engineers and environmental planners
A **KEYSPAN** BUSINESS SOLUTION

2/3

Drawn By: MB

Scale: 1" = 40'

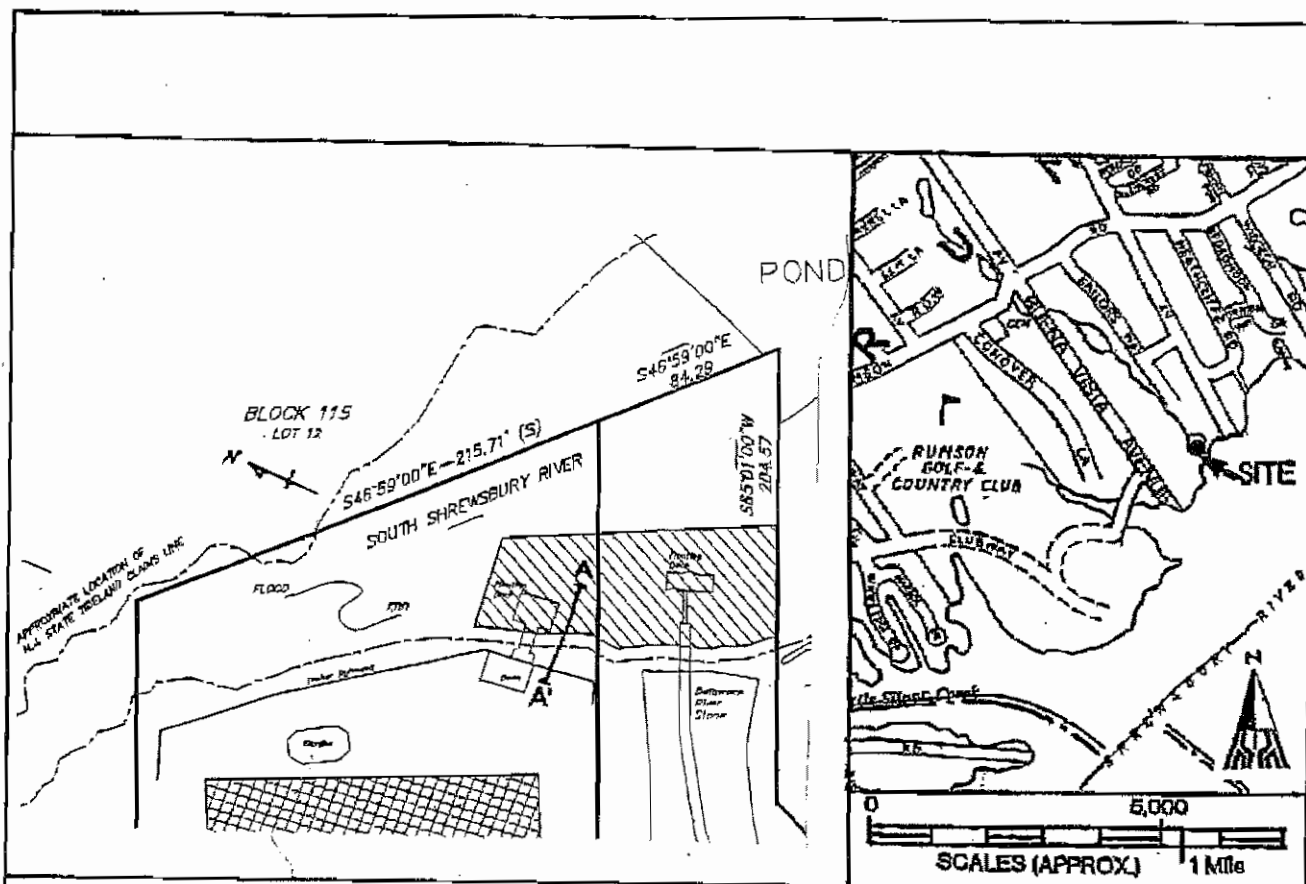
Project No. 01092.004.004

Chk'd By: ML

Date: 10-4-05

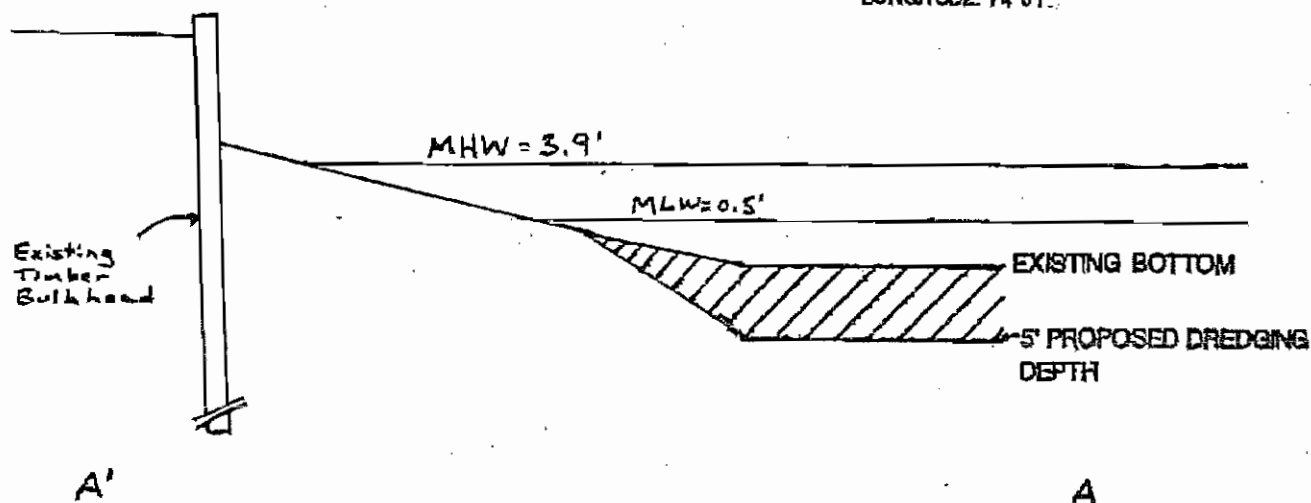
Figure No. SP 1

Project No 2006-21



VICINITY MAP

FROM MONMOUTH CO. HAGSTROM
 LATITUDE 40° 21'
 LONGITUDE 74° 01'



CROSS SECTION PLAN BUENA VISTA AVENUE BOROUGH OF RUMSON, MONMOUTH COUNTY NEW JERSEY

Application By: P. Diaeo
 Datum = MLW
 Adjacent Property Owners
 1. Joseph Sheridan
 2. Leopold Clemente
 3. Edward Swikart

Paula, Golechowski & Partner, LLC
 Surveying, Engineering and Environmental Planning
 A PROFESSIONAL CORPORATION

Drawn By: ML

Scale: As Noted

Project No. 01092.004.004

Chk'd By: ID

Date: 5/27/06

Figure No. C 1

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